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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,563	08/30/2001	Takao Miyazaki	0879-0347P	6146
2292	7590	04/18/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			LIN, KENNY S	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/941,563

Applicant(s)

MIYAZAKI ET AL.

Examiner

Kenny Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-21 are presented for examination.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 5, 7 and 13-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donoho et al (Donoho), US 6,801,929, in view of Focsancanu et al (Focsancanu), US 5,991,292.

4. Donoho and Focsancanu were cited in the previous office action.

5. As per claim 1, Donoho teaches an informing system for providing information through a local area network having a plurality of devices (col.5, lines 41-44), the informing system comprising:

- a. A communication device that communicates at least with the plurality of devices within the local are network (Fig.1, col.5, lines 41-44, 50-58: advice provider 10 and consumers 14a-14c where they are represented by computers, col.77, lines 30-42);

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- b. A properties file producing device (Fig.5, item 50, col.8, lines 9-16; wherein the directory directly or indirectly produces the advisory file) that produces a properties file (col.13, lines 60-67, col.14, lines 1-17, 26-59) showing settings (col.23, lines 27-57, a sample of the advisory file) related to at least one of the following:
  - c. Whether or not an informing job has priority over other informing jobs, whether the informing job will be performed automatically or manually (col.8, lines 55-67), a range of the informing job (col.8, lines 55-67, wherein the job is performed automatically; col.14, lines 25-55, wherein the range of jobs are types of advisories sent out);
  - d. Wherein when information is received at the communication device, a determination is made on how to provide the received information based on setting include in the properties files (col.2, lines 47-67, col.3, lines 1-5, col.23, lines 27-57, col.16, lines 1-15);
  - e. An informing device that provides the received information to at least one of the plurality of devices within the local area network according to the determination made based on the settings in the properties file produced by the properties file producing device (col.5, lines 41-44, 50-58, col.16, lines 10-15, col.23, lines 27-57);
6. Donoho does not explicitly teach which of the plurality of devices on the local are network will perform the informing job. However, Focsancanu teaches which device on the

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network will perform the informing job (col.15, lines 33-50), in order to avoid communication device failure. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Focsancanu with Donoho because the combination would improve the functionality for Donoho's system by allowing the user to specify in the user profile which device will act as the informing device.

7. As per claim 3, Donoho and Focsancanu teach the informing system as defined in claim 1. Donoho further teaches that the local area network is a home network in a home (col.5, lines 40-45).

8. As per claim 5, Donoho teaches a server that stores the properties file produced by the properties file producing device (col.102, lines 1-25, wherein the servers here are the advise provider sites), the remainder of claim 5 is rejected for the same reasons as rejected to claim 1 above.

9. As per claim 7, the claim is rejected for the same reasons as rejection to claim 3 above.

10. As per claim 13, the claim is rejected for the same reasons as rejection to claim 1 above.

11. As per claim 14, Donoho and Focsancanu teach the informing system as defined in claim 13. Donoho teaches automatically transferring the information to a printing device for printing (col.26, lines 59-60, col.37, lines 30-40).

12. As per claim 15, Donoho and Focsancanu teach the informing system as defined in claim

13. Donoho further teaches that providing information according to the determination made based on the settings in the properties file further includes transferring the received information to one of the plurality of devices on the network based on the setting in the properties file (col.2, lines 47-67, col.3, lines 1-5, col.14, lines 39-58, col.16, lines 1-15, col.23, lines 27-57). Donoho does not explicitly teach which of the plurality of devices on the local are network will perform the informing job. However, Focsancanu teaches which device on the network will perform the informing job (col.15, lines 33-50), in order to avoid communication device failure. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Focsancanu with Donoho because the combination would improve the functionality for Donoho's system by allowing the user to specify in the user profile which device will act as the informing device.

13. As per claim 16, Donoho and Focsancanu teach the informing system as defined in claim

13. Donoho further teaches that whether or not an informing job has priority over other informing jobs (col.43, lines 45-63) further includes establishing a communication channel between a device storing the properties file (Figs.1 and 5, item 50) and another of the plurality of devices (Fig.1, 14a-14c) on the local area network based on the setting in the properties files (col.14, lines 39-58, col.23, lines 27-57).

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14. As per claim 17, Donoho and Focsancanu disclose the invention substantially as claimed as described in claim 1 above. Donoho further teaches that the system produces the property file according to a user's input operation (col.7, lines 39-63).

15. As per claim 18, Donoho and Focsancanu disclose the invention substantially as claimed as described in claim 1 above. Donoho further teaches that the system produces the property file according a user's input operation in a properties screen (col.7, lines 39-63, col.8, lines 38-44).

16. As per claim 19, Donoho and Focsancanu disclose the invention substantially as claimed as described in claim 1 above. Donoho further teaches that the system produces the properties file of one of the plurality of devices within the local area network (col.13, lines 60-67, col.14, lines 1-17, 26-59), wherein a local area network is a home network (col.5, lines 40-45). Donoho and Focsancanu did not explicitly teach that the one of the plurality of devices is selected on a selection screen. However, Donoho provided motivation to use user interfaces for inputs. It would have been obvious to one of ordinary skill in the art a the time the invention was made to incorporate Donoho and Focsancanu's system with graphical user interfaces or touch input screens to provide easy input functionalities.

17. As per claim 20, Donoho and Focsancanu disclose the invention substantially as claimed as described in claim 1 above. Donoho further teaches that the system sends the produced properties file to the selected one of the plurality of devices (col.2, lines 47-67, col.3, lines 1-5).

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18. As per claim 21, Donoho and Focsancanu disclose the invention substantially as claimed as described in claim 1 above. Donoho further teaches that the system sends the produced properties file to the selected one of the plurality of devices together with information (col.2, lines 47-67, col.3, lines 1-5).

19. Claims 2, 4, 6, and 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Donoho and Focsancanu as applied to claims 1, 3, 5 and 7 above, and further in view of Stumer, US 2002/0064271.

20. Stumer was cited in the previous office action.

21. As per claim 2, Donoho and Focsancanu disclose the invention substantially as claimed as described in claim 1 above. Donoho and Focsancanu do not explicitly teach informing device for turning on a device if the device property file shows that the job from the informing device has higher property. However, in the same field of endeavor, Stumer teaches an embodiment of NRCC system for optimization ([0027]), which is capable of turning on i.e. wake up, a device in a network; based on priority ([0049]). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate such capability as taught in Stumer with Donoho and Focsancanu in order to optimize efficiency of Donoho and Focsancanu's system as suggested (Stumer, [0002]).



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22. As per claims 4, 6 and 8, the claims are rejected for the same reasons as rejection to claim 2 above.

23. Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donoho and Focsancanu as applied to claim 5 above, and further in view of Kang, US 2003/0074450.

24. Kang was cited in the previous office action.

25. As per claim 9, Donoho and Focsancanu disclose the invention substantially as claimed as described in claim 5 above. Donoho and Focsancanu do not explicitly teach server is one of a refrigerator and a telephone that can transmit and receive information through the local are network. However, in the same field of endeavor, Kang teaches a home network system comprising a plurality of home appliances ([0024]), which are capable of transmitting signals with each other so that one or more of the devices can control the other devices ([0024]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Kang with Donoho and Focsancanu because combination would improve the functionality for Donoho and Focsancanu's system by monitoring and control status of devices within a home network comprising various appliances (Kang, [0024], [0010-0012]).

26. As per claim 11, the claim is rejected for the same reasons as rejection to claim 3 above.

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27. Claims 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donoho, Focsancanu and Kang as applied to claims 9 and 11 above, and further in view of Stumer.

28. As per claims 10 and 12, the claims are rejected for the same reasons as rejection to claim 2 above.

***Response to Arguments***

29. Applicant's arguments filed 2/23/2006 have been fully considered but they are not persuasive.

30. In the remark, applicant argued (1) Donoho fail to teach the properties file producing device and the properties file as claimed. There are no settings in the advisory file that include any of those elements as recited in claim 1. Further there are no settings in the advisory file that contribute to determining how the received information should be provided. (2) There is no information in the SDF that teaches settings relating to whether the information job will be performed automatically or manually and further, the SDF is not the advisory file the Examiner is relying to teach the properties files of the claimed invention. The advisory information is not provided to at least one of the plurality of devices within the local area network according to the determination made based on the settings in the properties file produced by the properties file producing device. (3) There is no teaching or suggestion in Donoho that discusses a local area network as suggested by the Examiner. The communication channel between the advice

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provider's advice site and the advice reader is not based on any information that is stored in the advisory file.

31. Examiner traverse the argument:

As to point (1), Donoho taught to produce properties file (col.13, lines 60-67, col.14, lines 1-17, 26-59) showing settings related to **at least one** of whether or not an informing job has priority over other informing jobs, whether the informing job will be performed automatically or manually (col.8, lines 55-67), a range of the informing job (col.8, lines 55-67, wherein the job is performed automatically; col.14, lines 25-55, wherein the range of jobs are types of advisories sent out). Donoho reference clearly fulfills the claimed limitation of "at least one" by teaching one and more of the related settings.

As to point (2), although SDF does not the advisory file, Donoho taught in column 8, lines 55-67 to show that informing job may be either automatically or manually. Donoho further taught that determination is made on how to provide the received information based on setting include in the properties files (col.2, lines 47-67, col.3, lines 1-5: based on information which is inaccessible to other communications protocols, time element...etc).

As to point (3), Donoho explicitly suggested that the invention to be implemented on infrastructures such as intranets, Internet, WWW and related services (col.5, lines 41-44, 64-67, col.6, lines 1-6col.10, lines 48-53). Focsancanu taught which device on the LAN will perform the informing job (col.15, lines 33-50), in order to avoid communication device failure. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Focsancanu with Donoho because the combination would improve the functionality

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for Donoho's system by allowing the user to specify in the user profile which device will act as the informing device. Donoho further taught the communication channel is based on the setting stored in the advisory file (col.14, lines 39-58, col.23, lines 27-57) and that the network include a plurality of devices (Fig.1).

### ***Conclusion***

32. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl  
April 11, 2006

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SUPERVISORY PATENT EXAMINER  
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